GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department –Land Acquisition for House Sites–Krishna District – Machilipatnam Town & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.1,95,560/- towards decretal charges in EP No.100/2009 in LAOP No.62/90 – Orders- Issued.

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SOCIAL WELFARE (BUDGET&LA) DEPARTMENT

G.O.RT.No. 311 Dated: 18-07-2017
Read the following

1. From the Dist Collector, Krishna Lr.No.G4-2643/2015, dt 11.02.2016
2. From the DSW, A.P., Lr.No.G2/693/2016, dt 01.03.2016.
3. From the Spl CS&CCLA, A.P., Lr.No.LA.1(1)/81/2016, dated 18.06.2016

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O R D E R:

As reported by the Director of Social Welfare, A.P.,/District Collector, Krishna, the Spl CS & Chief Commissioner of Land Administration, A.P., has stated that the land admeasuring Ac.4.85 Cts in R.S No.343/1B of Machilipatnam Town & Mandal was acquired in Award No.2/88 dt 25.03.1988 by the LAO/RDO, Bandar, for provision of house sites to weaker sections. The LAO fixed the land value @ Rs.10/- per Square Yard (i.e., Rs.48,400/- per acre) besides other benefits such as Solatium @ 30% and Additional Market Value @ 12% as per amended L.A Act, 1984, and paid the compensation for Ac.4.85 Cts for an amount of Rs.3,28,010/-. On reference, the reference Court in its order in LAOP No.62/90 dated 13.04.1998 observed that the LAO did not Award Additional Market Value @ 12% as provided under Section 23 (1A) of LA Act, 1894 and therefore awarded the Additional Market Value @12% per annum from the date of D.N to the date of Award. But the reference Court confirmed the Market Value (i.e., Rs.48,400/- per acre) as was fixed by the LAO. The Additional Market Value @ 12% per annum on Market Value was awarded by the LAO and the same was paid to the claimant/awardee at the time of Award. But the Reference Court erred in observing that the Additional Market Value is not awarded by the LAO. But the LAO did not file any appeal against the order of the Reference Court. The Claimants filed First Appeal No.1372/1998 and the Hon'ble High Court of A.P., in its judgment dated 30.12.2004 confirmed the rate fixed by the LAO/Reference Court but, allowed Interest on Additional Market Value and Solatium. The claimants have filed EP No.100/2009 for payment of amount.

2. The Spl CS & Chief Commissioner of Land Administration, A.P., has further stated that the Government Pleader for Appeals, A.P., High Court, in his Lr A.S No.1372/1998 against O.P No.62/90 dated 05.01.2016 has opined that the claimants/ awardees are entitled for the Interest on Solatium as well as Additional Market Value on the sum awarded by the LAO from 19.09.2001 and not from earlier date and as it is not a fit case to file appeal or revision. Thereafter the District Collector, Krishna has submitted proposals for sanction of Rs.1,95,560/- i.e., Interest on Solatium & Additional Market Value to be paid in respect of E.P No.100/2009 pertaining to LAOP No.62/90 for the lands acquired to an ext of Ac.4.85 Cts in RS No.343/1B of Machilipatnam Town & Mandal of Krishna District for providing house sites to B.Cs.

3. After verification and scrutiny of the proposals submitted by the DSW, A.P.,/Dist Collector, Krishna, the Spl CS & Chief Commissioner of Land Administration, A.P., has sent a comparative calculation sheet for Rs.1,95,560/- with a request to examine the matter in consultation with the Law Department, for sanction of Rs.1,95,560/- to be paid in EP No.100/2009 in LAOP No.62/90 for the lands acquired to an ext of Ac.4.85 Cts in RS No.343/1B of Machilipatnam Town & Mandal of Krishna District for providing house sites to BCs.

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4. Government, after careful examination of the above proposal, hereby accord permission to the Director of Social Welfare, A.P., Hyderabad for release an amount of Rs.1,95,560/- (Rupees one lakh ninety five thousand five hundred and sixty only) to the District Collector, Krishna towards payment of decretal charges in EP No.100/2009 in LAOP No.62/90 for the lands acquired to an ext of Ac.4.85 Cts in RS No.343/1B of Machilipatnam Town & Mandal of Krishna District for providing house sites to Backward Classes.

5. The expenditure sanctioned in para (4) above shall be met within the B.E.2017-18 and debited to the following Head of Account**:**

"2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid".

5. The Director of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Krishna District to comply with the Court orders in EP No.100/2009 in LAOP No.62/90.

6. The District Collector, Krishna shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order issues with the concurrence of Finance (Expr.SW) Department, vide their U.O No.39027/37/2017-FMU-Welfare.I, dated 21.06.2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Spl CS & Chief Commissioner of Land Administration,
A.P., Vijayawada,
The Director of Social Welfare, A.P., Vijayawada,
The District Collector, Krishna
Copy to:
The Director of Treasury & Accounts, A.P., Vijayawada,
The Accountant General, A.P., Hyderabad,
The Deputy Director of Treasury & Accounts, Krishna.
Finance (FMU.Welfare-I) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER